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# Security Council

Sixty-second year

*Provisional*

**5690**th meeting

Friday, 8 June 2007, 3 p.m.

New York

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| *President:* | Mr. Verbeke | (Belgium) |
| *Members:* | China | Ms. Chen Peijie |
| | Congo | Mr. Makayat-Safouesse |
| | France | Mr. Lacroix |
| | Ghana | Mr. Christian |
| | Indonesia | Mr. Kleib |
| | Italy | Mr. Mantovani |
| | Panama | Mr. Suescum |
| | Peru | Mrs. Zanelli |
| | Qatar | Mr. Al-Nasser |
| | Russian Federation | Mr. Shcherbak |
| | Slovakia | Mr. Bartho |
| | South Africa | Ms. Qwabe |
| | United Kingdom of Great Britain and Northern Ireland | Ms. Pierce |
| | United States of America | Ms. Wolcott Sanders |

## Agenda

The situation in Sierra Leone

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07-37400 (E)

*The meeting was called to order at 3.15 p.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**The situation in Sierra Leone**

**The President** (*spoke in French*): I should like to inform the Council that I have received letters from the representatives of Canada, Germany, Netherlands, Nigeria and Sierra Leone, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

*At the invitation of the President, Mr. Kanu (Sierra Leone) took a seat at the Council table; the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.*

**The President** (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend invitations under rule 39 of its provisional rules of procedure to Justice George Gelaga King, President of the Special Court for Sierra Leone, and Mr. Stephen Rapp, Prosecutor of the Special Court for Sierra Leone.

It is so decided.

I invite Justice King and Mr. Rapp to take seats at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

I wish to draw the attention of the members to photocopies of a future document (S/2007/338), containing a letter dated 7 June 2007 from the representative of Canada, transmitting, in that State's capacity as Chair of the Management Committee of the Special Court for Sierra Leone, the Court's completion strategy, a summary of the completion strategy and a summary of the Court's completion budget.

I would like to welcome the presence of the Deputy Secretary-General, Ms. Asha-Rose Migiro, at this meeting.

At this meeting, the Security Council will hear briefings by the President and the Prosecutor of the Special Court for Sierra Leone.

I now give the floor to Justice George Gelaga King, President of the Special Court for Sierra Leone.

**Justice King**: I would like to begin by expressing my sincere appreciation to the Security Council for the decision to hold a debate on the Special Court for Sierra Leone. It is a great honour for me, as President of the Special Court for Sierra Leone, to have this opportunity to brief Council members on the achievements of the Court and the challenges facing it.

This is a crucial stage in the life of the Special Court. While the Court is undertaking an unprecedented level of judicial activity, it is already beginning to wind down its overall operations in Freetown.

In my remarks, I will update the Council on the status of the legal proceedings at the Special Court and its completion strategy. I will then talk about the impact of the Court on Sierra Leone and its efforts to leave a lasting legacy. Finally, I will describe areas where support of the international community is required to ensure that the Court successfully concludes its mandate.

Four trials of nine individuals are currently before the Special Court for Sierra Leone. Three of these trials are taking place in Freetown, and one — the trial of Mr. Charles Taylor, ex-President of the Republic of Liberia — is being held in The Hague. The trials of alleged members of the Civil Defense Forces (CDF) and the Revolutionary United Front (RUF) are before Trial Chamber I. The CDF trial has concluded, and a judgement is expected in July 2007. In the RUF trial, the defense is currently presenting its case. The trials of alleged members of the Armed Forces Revolutionary Council (AFRC) and of Mr. Charles Taylor are before Trial Chamber II. In the AFRC trial, a judgement is expected on 20 June. The trial of Mr. Taylor opened with the Prosecutor's statement on Monday, 4 June, in The Hague.

According to the updated completion strategy, which was distributed to the members of the Council, the Special Court for Sierra Leone will conclude all

judicial activity in Freetown and in The Hague by the end of 2009.

As I have already indicated, two of the trials being conducted in Freetown — the AFRC and the CDF trials — are now concluded and judgements will be delivered in the coming weeks. A third trial, the RUF trial, is scheduled to conclude by December 2007, and a judgement is expected by June 2008. Once a judgement has been delivered in the RUF trial, Trial Chamber I will have concluded its assignments and become functus officio.

With regard to the trial of Mr. Taylor, the projection is that trial proceedings will last until November 2008 and that a judgement on the merits and, if applicable, on sentencing will be issued in June 2009.

Possible appeals may start in Freetown in July 2008. Any appeals proceedings are expected to last approximately six months for each case and to be concluded in the ARFC, CDF and RUF cases by December 2008. It is expected that the Appeals Chamber will complete a possible appeal in the Taylor case by December 2009.

One indictee, Mr. Johnny Paul Koroma, is still at large. If he is apprehended between now and the completion date of December 2009, the completion strategy and the budget of the Court will have to be revisited.

Mr. President, while it is never possible to fully predict the duration of legal proceedings, let me reassure you of the Special Court's commitment to achieving the milestones set forth in the completion strategy and to continuing to review ways to increase efficiency.

The importance of the Special Court for Sierra Leone, however, goes beyond the completion of its legal proceedings. As President of the Special Court and as a Sierra Leonean, I hold the firm belief that the establishment of the Court represents a major contribution to long-term peace and security in Sierra Leone and the subregion. The Court has contributed greatly to the efforts being made in Sierra Leone to resurrect the rule of law and to end impunity.

The Special Court has made its trials and other activities a part of Sierra Leone's national discourse and heritage. The Outreach Section of the Court, through radio programmes, video screenings, town hall meetings and training sessions, has had great success in engaging all sectors of Sierra Leone society. The Outreach Section is now taking steps to ensure that although the trial of Mr. Taylor is taking place in The Hague, the whole of the trial process will be brought to everyone in Sierra Leone and will be made accessible throughout the West African region, particularly in Liberia and beyond.

In addition, it should come as no surprise that, as the Court approaches the end of its mandate, legacy issues are one of its top priorities. The Court is continuing to transfer expertise to Sierra Leoneans through a number of programmes, including training on courtroom interpretation, witness protection and detention standards. The Special Court is also exploring ways to ensure that its buildings, archives and records will be preserved for Sierra Leone's children's children. Potential uses of the Court's physical site after completion of its mandate are being explored in conjunction with the Government of Sierra Leone.

The Special Court has benefited on numerous occasions from the support of the Security Council. I would like to express particular gratitude for the Council's adoption of resolution 1688 (2006), which noted my intention to authorize Trial Chamber II to exercise its functions away from the seat of the Special Court and requested all States to cooperate in the transfer of Mr. Charles Taylor to the Netherlands, and its adoption of resolution 1626 (2005), which extended the mandate of the United Nations Mission in Liberia to include the protection of the Court's premises by a contingent of Mongolian troops.

To complete its mandate, the Special Court continues to require the support of the Security Council and all Member States. In this regard, I wish to make three appeals.

First, the Special Court requires secure funding. The Court has recently finalized a completion budget that outlines its financial requirements from 1 July 2007 to 31 December 2009. The total budget amount is $89 million. Available funds will be exhausted by November 2007. That is of grave and imminent concern. If the Special Court is to adhere to its completion strategy, it is imperative and vital that there be adequate financial support.

Secondly, the Court seeks the cooperation of the international community in negotiating and concluding

additional agreements for the enforcement of potential sentences and the relocation of witnesses. Sufficient agreements must be in place as soon as possible to avoid delays in the completion of the work of the Court.

Thirdly, I encourage States to support the Court's legacy projects and its consideration of relevant residual issues.

Let me conclude by once again expressing my gratitude to the Security Council and the Deputy Secretary-General for the support that the Special Court has received from the United Nations since its inception. I would be remiss in my duty if I failed to record a special word of thanks to the Management Committee of the Special Court and the United Nations Office of Legal Affairs for the invaluable help and advice the Special Court has received from them at all times.

**The President** (*spoke in French*): I give the floor to Mr. Stephen Rapp, Prosecutor of the Special Court for Sierra Leone.

**Mr. Rapp**: In beginning my presentation, I would like to reiterate the comments made by President King and thank the Council for its decision to convene this briefing on the Special Court for Sierra Leone.

I would also like to thank the Security Council for its invaluable role in strengthening peace and security in Sierra Leone and the West African region and for the assistance provided to the Special Court in its pursuit of justice.

As members are well aware, this past Monday saw the commencement of the trial of former Liberian President Charles Taylor. His trial marks a watershed event for international justice, and the Security Council deserves tremendous credit for helping to make that happen. In 2005, the Council adopted resolution 1638 (2005), which included in the mandate of the United Nations Mission in Liberia (UNMIL) the apprehension, detention and transfer of Charles Taylor to the Special Court in the event of his return to Liberia. In March 2006, that resolution made possible Taylor's handover to the Special Court in Freetown after he was arrested attempting to cross the border from Nigeria into Cameroon and had been brought to Liberia. Then, in June 2006, the Council adopted resolution 1688 (2006), requesting that all States cooperate to effect the transfer of Charles Taylor to the Netherlands for the purpose of his trial by the Special Court. That endeavour stands as a remarkable example of collaboration by the international community. In addition, in March 2007 — not very long ago — the Council adopted resolution 1750 (2007) mandating UNMIL to provide support to the Special Court for activities conducted in Liberia with the consent of the Liberian Government.

I am therefore most grateful for this occasion to brief the Security Council in my capacity as Prosecutor of the Special Court for Sierra Leone and to provide the Council with an overview of the work my Office is performing and the challenges that lie ahead.

The Special Court has a very focused jurisdiction. It is mandated to prosecute those who bear the greatest responsibility for the violations of humanitarian law committed in Sierra Leone since 30 November 1996. The Office of the Prosecutor has therefore concentrated its investigations and prosecutions on a limited number of individuals alleged to have been in a position of responsibility and/or command and to have played a major role not only in carrying out the crimes, but also in planning and implementing the campaign of terror that engulfed Sierra Leone for almost 10 years.

The prosecution has issued 13 indictments, all of which were confirmed by a justice of the Special Court. Eleven individuals have been apprehended and transferred into the Court's custody. Two of them, Foday Sankoh and Hinga Norman, died of natural causes while in detention; one was killed in Liberia before arrest; and, as President King indicated, the whereabouts of another remain unknown. Nine individuals are currently before the Court as accused persons in four trials.

The prosecution and defence concluded the presentation of evidence in the trials of Allieu Kondewa and Moinina Fofana of the Civil Defence Forces (CDF) and Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu of the Armed Forces Revolutionary Council (AFRC) at the end of 2006. With the trial phases of both the CDF and AFRC cases now complete, our Office is awaiting judgments and devoting its efforts to preparing for possible appeals. On 2 August 2006, the Prosecution concluded its case in the trial of Issa Hassan Sesay, Morris Kallon and Augustine Gbao of the Revolutionary United Front (RUF). The defence began the presentation of its

witnesses on 3 May 2007, and it is anticipated that the trial will be concluded by early 2008.

The Office of the Prosecutor has continued to conduct investigations in Sierra Leone and elsewhere in relation to the case against Charles Taylor. On 7 March 2003, the Special Court confirmed the indictment of Charles Taylor for war crimes, crimes against humanity and other serious violations of international humanitarian law. On 29 March 2006, Mr. Taylor was surrendered to the Special Court. Taking note of concerns expressed by regional leaders, the President of the Court formally requested that Taylor be tried in The Hague, in the Netherlands, by a Trial Chamber of the Special Court. On 20 June 2006, Taylor was transferred to The Hague.

Last Monday, four days ago, the case officially began in a courtroom of the International Criminal Court in The Hague. In my opening statement, I made it clear that the prosecution will seek to ensure that the trial embodies the principles of fairness and due process at all times. In the months to come, the prosecution will be calling witnesses and offering documentary evidence that, in our evaluation, will provide strong and compelling proof of Mr. Taylor's culpability in planning, instigating, ordering, aiding and abetting the crimes charged in the indictment: crimes against humanity, war crimes and, additionally, the crime of violating other provisions of international humanitarian law by conscripting or enlisting children under the age of 15 years into armed forces or groups, or using them to participate actively in hostilities.

The Special Court is indeed the first international criminal tribunal to charge and try individuals for the recruitment of child soldiers as a violation of international humanitarian law. In addition, the Special Court is the first international tribunal to charge forced marriage as a crime against humanity. The judgments as to those crimes that are expected 12 days from today in the AFRC case will be the first of their kind in the history of the world.

These trials are evidence of the international community's commitment to ensuring accountability for crimes as heinous and widespread as those committed in Sierra Leone. They make a clear statement that crimes such as mutilations, the chopping off of arms and legs, the sexual enslavement of women and girls, and the use of child soldiers cannot continue to go unpunished. The historic trial of Charles Taylor shows that, after the mayhem and terror that were rained upon Sierra Leone and its people, there are those in the world who are ready to uphold the law and decide that, no matter how high the position of the person responsible, there will be a day of justice.

As President King indicated, it is expected that the Court will complete its legal proceedings by December 2009. However, the actual implementation of the Court's completion plan will require continued support from all Member States.

In the course of the CDF, AFRC and RUF trials, the prosecution presented 220 witnesses. Overall, 354 have been heard by the Chambers to date. In the Taylor trial, the prosecution estimates that it will be calling 139 witnesses. Many of the witnesses who appear before the Special Court do so at great risk to their and their family's safety, demonstrating courage and determination. The Court has an obligation to protect them and to relocate high profile and vulnerable witnesses. Thus far, the Court has signed agreements for the relocation of witnesses with three countries and entered into ad hoc arrangements with two more. Additional agreements are needed to ensure that all witnesses of the Special Court receive the protection they deserve.

All of the accused before the Special Court have declared themselves to be indigent and are receiving legal assistance at the Court's expense. It is important that the Court's Registry have the capacity to conduct further investigations to ascertain the validity of those claims of indigency. The investigations require extensive cooperation from Member States to track, freeze and gain access to possible assets.

That may lead to the discovery of substantial assets that could also be made available to a national process of victim compensation. In our view of the evidence, the crimes that we are prosecuting were motivated in part by a desire to control and exploit mineral resources. Justice requires that any remaining proceeds of that plunder be made available to its victims. I know of the ongoing efforts of the Committee established pursuant to resolution 1521 (2003) concerning Liberia to implement the freeze of assets of Charles Taylor and his close associates in compliance with Security Council resolution 1532 (2004). The success of those efforts would open the way for compensation for victims and also send a signal to others that they cannot gain from such crimes.

We urge Member States to provide all appropriate legal and technical assistance. We in the Office of the Prosecutor are ready to cooperate in any way to ensure success.

Finally, as Justice King stated, the Special Court needs funding. The Court has demonstrated itself to be a transparent and cost-effective operation. In order to provide Member States with a clear picture of the resources required until the conclusion of its work, a completion budget has been presented for each of the remaining years of its mandate, namely, 2007, 2008 and 2009. Current funds in the Special Court's accounts will be exhausted at end of October 2007. Additional funds of approximately $60 million are needed to finance the Court's operation until the completion of its mandate. The challenges facing the Special Court are serious, and I encourage all Member States to renew their support for the Court and its efforts to ensure justice for the crimes committed in Sierra Leone.

I would like to leave members with these words from our opening statement in the Taylor trial.

> "The people of Sierra Leone have a saying: no matter how long the night, light will come again. For years the accused's crimes have remained in the dark. Today we start to shed light on his responsibility for the suffering of the people of Sierra Leone."

Let us continue to work together to help the people of Sierra Leone look forward to a future of light and of hope.

**The President** (*spoke in French*): I thank Mr. Rapp for his briefing.

I now give the floor to the Deputy Secretary-General, Ms. Asha-Rose Migiro.

**The Deputy Secretary-General**: It gives me great pleasure to be here today as a witness to the significant achievements of the Special Court for Sierra Leone. After listening to both the President and the Prosecutor speak about the work and goals of the Special Court, I feel humbled but, at the same time, encouraged. It was only five years ago that an 11-year conflict, characterized by indescribable brutality and the systematic use of mutilation, abduction, sexual violence and the murder of civilians, came to an end in Sierra Leone.

The first of its kind, the Special Court was established on the basis of an agreement between the United Nations and a Member State — Sierra Leone — at the request of the Security Council and the Government of Sierra Leone. This new hybrid model of international justice sits on the territory where the crimes were committed and therefore has the unique advantage of benefiting from both international and Sierra Leonean personnel.

The Special Court has faced numerous difficulties and challenges since it was established. However, it is clear that tremendous efforts have been made by both dedicated staff members and the people of Sierra Leone to prosecute those who bear the greatest responsibility for serious violations of international humanitarian law committed in Sierra Leone since 30 November 1996.

Like the other ad hoc Tribunals currently in existence, the Special Court prosecutes war crimes and crimes against humanity. Uniquely, however, this Court has also prosecuted all its indictees for the enlisting of children under the age of 15 to participate in hostilities. Notably, building on the jurisprudence of the ad hoc tribunals for the former Yugoslavia and Rwanda, the Special Court has confronted the tradition of impunity for gender-based crimes, prosecuting offences such as forced marriage and recognizing the unique nature of the sexual crimes perpetrated primarily against women and girl children during this conflict. For the first time, sexual slavery as a crime against humanity is being expressly prosecuted under international law.

Today the Special Court has demonstrated how it has discharged the heavy responsibility it assumed in 2002 to ensure that perpetrators of crimes are brought to justice. In so doing, the Court has contributed to the restoration and maintenance of peace and security in Sierra Leone. It is often said that one of the Special Court's greatest accomplishments is its Outreach Section. It is truly remarkable how the Section has enlisted the support of the general public in Sierra Leone and the neighbouring region. The Section effectively disseminates information about the trials before the Special Court at the grass-roots level, providing accessible information on the application of the basic values of the rule of law in the restoration of peace.

The Special Court has joined other international tribunals in offering hope to future generations — a

hope that the rule of law may prevail in the affairs of men and women of all nations and that those whose deeds offend the conscience of mankind shall not go unpunished.

On the day of the opening of the Charles Taylor trial, the Secretary-General encouraged all Member States to continue their support and contributions to the Special Court. Today, the Special Court has specifically sought the assistance of the international community through financial support. However, the Court also requires the cooperation of Member States in the enforcement of sentences, the relocation of witnesses and the subsequent residual and legacy issues that will naturally arise from its activities. I strongly reiterate those requests.

It is imperative that the international community continue to generously support the Special Court, ensuring that it has both the human and financial resources necessary to conclude its mandate. The Court constitutes an important milestone in the fight against impunity. It marks the considerable achievement of those who have worked selflessly to ensure a lasting legacy of justice and of the rule of law, of which the Sierra Leonean people, Africa and the international community at large can be proud.

**The President** (*spoke in French*): I thank the Deputy Secretary-General for her statement.

I shall now give the floor to members of the Council.

**Ms. Pierce** (United Kingdom): Allow me also to thank the President and Prosecutor of the Special Court for their very informative briefings and for all the work they are doing to help bring justice to the people of Sierra Leone. I would also like to thank the Deputy Secretary-General for attending this meeting and for her words of support for the Court, which is a very important cause of the Council.

Less than eight years ago, military intervention was necessary to save Sierra Leone from total collapse into civil war. The progress made since has been a tribute to the efforts of the Sierra Leonean people, of the United Nations and of others. My Prime Minister, Tony Blair, paid a recent visit to Freetown. He was able to see and remark on the turnaround in Sierra Leone's fortunes over the past few years, which is truly impressive. But, as those who have spoken before me have said, there is no room for complacency. Sierra Leone is still fragile, and the upcoming elections — the first since the departure of United Nations peacekeepers — will be a milestone in the country's development. It is only right that the Peacebuilding Commission should continue to help Sierra Leone deal with its post-conflict future.

Against that background, the Court has an even more important role to play in Sierra Leone's recovery than the inherent good that bringing justice to the country entails. We welcome the opportunity for the Special Court to brief the Council on its work. This is a very special occasion. We are pleased that it also gives the Council an opportunity to demonstrate its support for the role that the Special Court has played in the restoration of peace and security in Sierra Leone.

It is particularly appropriate that, as other speakers have noted, this meeting is taking place during the same week as the start of the Taylor trial. It enables the Council to send a strong message that nobody is above the law and that there can be no impunity for crimes against humanity and war crimes. We are confident that the Special Court will ensure a fair and expeditious trial for Charles Taylor.

My country is a strong supporter of the Special Court, as we are a friend to Sierra Leone, and we have demonstrated that support through practical and concrete actions. We are one of the largest financial contributors to the Special Court, and last month made an additional contribution of $4 million, bringing our total contribution since 2002 to some $23 million.

We are an active member of the Special Court's Management Committee here in New York. We were pleased to be able to agree to imprison Charles Taylor if convicted, and welcomed the fact that that helped unlock the transfer of Taylor to The Hague in June 2006.

With our assistance, the BBC World Service Trust has developed a project in support of the Court's important and innovative outreach work, enabling the people of Sierra Leone and Liberia to have access to the Taylor trial.

We believe that the Special Court has set out a sound basis for its completion strategy. It remains important that the Court continue to strive for the early completion of its work in line with that strategy and, where possible, to deliver further efficiencies and budgetary savings.

Equally, it is essential that international community help ensure that the Special Court has the resources that it needs to complete its valuable work. We would therefore like to urge all Member States to respond to Justice King's call for further financial contributions and the provision of other forms of assistance in terms of sentence enforcement and witness relocation.

Finally, it is vital that the important achievements of the Special Court be preserved for the future. We urge the Court to develop its strategy on its legacy, in consultation with the Council's ongoing work in this area in respect of the international tribunals for the former Yugoslavia and for Rwanda.

We should like to pledge our support for the continuing work of the Court.

**Ms. Wolcott Sanders** (United States of America): On behalf of the United States, I would like to join others in welcoming the President of the Special Court for Sierra Leone, Justice George Gelaga King, Chief Prosecutor Stephen Rapp, and Acting Registrar Herman von Hebel to New York and to the Security Council. Their briefings today come at a critical time in the Court's work, with proceedings in three cases still under way in Freetown and the trial of former Liberian President Charles Taylor having begun on 4 June in The Hague.

The United States also welcomes the participation in today's discussions of Deputy Secretary-General Migiro. Her presence underscores the importance that the United Nations and members of the international community continue to attach to the successful completion of the Special Court's work in order to bring a sense of justice to the innocent victims of the terrible crimes and atrocities that were perpetrated in Sierra Leone.

The United States has been a strong supporter of the Special Court from its inception. We played an instrumental role in drafting and negotiating resolution 1315 (2000), which called on the Secretary-General to conclude an agreement with the Government of Sierra Leone to create an independent special court to prosecute persons "who bear the greatest responsibility" (para. 3) for the serious violations of international humanitarian law and Sierra Leonean law that were committed in the territory of Sierra Leone since 30 November 1996. The successful completion of the Court's work remains a top United States priority.

The United States commends the commitment and hard work of the many men and women, a large number of whom are Sierra Leonean, who have been working to ensure that the Special Court fulfils its mandate. The efforts of these dedicated men and women have contributed to a number of important precedents, the most notable of which was the indictment of Charles Taylor — who was then a sitting head of State — on charges of crimes against humanity, war crimes and other serious violations of international humanitarian law. Additionally, the Special Court for Sierra Leone represents the first test of a new model of international justice — namely, an independent, international court of mixed jurisdiction and composition seated in the country where the crimes were committed. One important aspect of the Special Court's legacy will be the future of this new model of international justice. The efficient and timely completion of the Special Court's work would serve as testimony to the efficacy of the model to meet future needs. Accordingly, we urge the leadership of the Special Court to do everything in its power to address inefficiencies at the Court and to avoid unnecessary delays in the proceedings, in order to set a solid precedent for the future of this new model.

The United States has contributed $35 million to support the work of the Special Court since its creation in 2002 and intends to make additional contributions to the Court to ensure that it completes its important work. More than 40 other States have also provided funds to support the Court. The United States welcomes that broad base of past support, but notes that the Court will exhaust the funds currently available to it in a few months. The United States therefore appeals to all Governments to help guarantee, through additional contributions, that justice will be served, that impunity will not be tolerated and that peace and stability can be sustained in Sierra Leone and in the region.

**Mr. Makayat-Safouesse** (Congo) (*spoke in French*): I would like, on behalf of my delegation, to associate myself with the expressions of appreciation that have been addressed to the President of the Special Court for Sierra Leone, as well as to the Prosecutor.

The debate that has brought us together today provides Congo with an opportunity to reaffirm its ongoing commitment to the fight against impunity. It can never be stressed enough that, in societies in conflict, such as ours, justice lies at the very heart of

the objectives of national reconciliation, reconstruction and development. Hence the importance that we accord to the role being played and the work being done by the Special Court for Sierra Leone. In organizing the trial of Charles Taylor, the Court is serving the objectives of peace and security, as set out in the Charter, which form the very basis of the Security Council's mission. Furthermore, the exercise of international criminal justice will make it possible to affirm that henceforth the perpetrators of crimes and misdeeds will answer for their actions sooner or later.

It is on the basis of that conviction that my country fully supports the work of the Special Court and will, of course, provide it with all cooperation necessary to enable it to fulfil its mandate. In this respect, we would also like to associate ourselves with the appeal made here to place at the disposal of the Special Court the means it needs to carry out its mandate.

In conclusion, I would like to say that we are convinced that in the final analysis — above and beyond the implementation of the Court's completion strategy — the international community as a whole will benefit from a legacy that could prove very useful for the development of international criminal justice.

**Mr. Lacroix** (France) (*spoke in French*): My delegation too would like to thank the President of the Special Court for Sierra Leone, as well as the Prosecutor, for having taken the initiative to come to the Council to brief us on the work of the Court. It is legitimate that the Security Council, which endorsed the Court's creation, should be kept informed of the progress of an institution that is essential for justice and reconciliation.

My delegation would also like to welcome the presence at this debate of Ms. Asha-Rose Migiro, the Deputy Secretary-General.

Since our previous meeting devoted to the work of the Court two years ago (see S/PV.5185), a major event has occurred — one which France welcomed and to which the Council contributed: the arrest of Charles Taylor, his transfer to The Hague in accordance with resolution 1688 (2006) and, a few days ago, the start of his trial. A former head of State answering before a criminal court for atrocities which he encouraged and supported sends a very strong message which, beyond Sierra Leone and the region, is universal in scope. It is a message of hope for the victims of the most serious crimes and for all those who are combating impunity. The phase of the presentation of evidence, which will soon begin, will be crucial in that respect. It is also a warning for those responsible for such crimes wherever they may be. Progress in international criminal justice, and in particular the creation of the International Criminal Court, must prevent such persons from escaping justice, and the Security Council must support that progress.

It is important for the Security Council to be able to follow the Court's implementation of its recently revised completion strategy. Since the Court started functioning nearly five years ago, much has been achieved. France welcomes, in particular, the fact that three trials involving the various factions that participated in the conflict which tore Sierra Leone apart have concluded or are coming to an end. France notes that work should finish by the end of 2008 in Freetown and by the end of 2009 in The Hague.

The Court recently established a budget covering the period of the remaining work. It is certainly a useful tool which will make it possible to better assess the financial effort expected of us. The transfer of the Charles Taylor trial to The Hague has naturally had a major impact on the budget, but, in our view, the security considerations that justified the transfer remain completely valid.

For France, which has been contributing to the financing of the Court for several years, it is essential that the accomplishments of the first years of work not be jeopardized by a shortage of resources. In that spirit, we will consider the appeal for new contributions. Indeed, we want the Court to be successful, not only for justice and peace in Sierra Leone and the subregion, but also for international justice.

The Special Court for Sierra Leone, which is the first mixed tribunal created with the assistance of the United Nations, has been a model that has inspired other jurisdictions, in particular the Special Tribunal for Lebanon whose establishment has just been sanctioned by the Council. It has broken new ground in several areas, in particular through its communications strategy, as well as through its coordination with the United Nations Mission in Liberia and, in the Taylor trial, its cooperation with the International Criminal Court. That progress, together with its judgements, will be part of the Court's legacy to us.

The Court has also started to reflect upon residual activities after the end of the trials. The Security Council, which is beginning its work on the legacy and residual activities of the international criminal tribunals for the former Yugoslavia and for Rwanda, must take those reflections into account. Having approved the creation of the Court, it must also concern itself with its legacy.

In conclusion, I wish to reaffirm here that France fully supports the fight against impunity and the work for justice being carried out by the Special Court for Sierra Leone.

**Mrs. Zanelli** (Peru) (*spoke in Spanish*): My delegation wishes to express its gratitude for the briefings given by the President and the Prosecutor of the Special Court for Sierra Leone. We are grateful too for the work being carried out in that very important institution of international justice. My delegation also wishes to welcome the presence of Deputy Secretary-General Migiro at this meeting.

Peru firmly supports the fight against impunity. My delegation therefore appreciates the opportunity to be briefed this afternoon on the activities of the Special Court for Sierra Leone. This meeting will enable all States Members of the United Nations, and public opinion, to be informed about the work of the Special Court and about the challenges it faces. With two trials now concluded, with sentencing scheduled for next June and July, a trial that is to conclude by the end of the year and the recent start of the trial of the former President of Liberia, Charles Taylor, the Court has shown that it is making progress in the task of bringing to justice those who bear the greatest responsibility for serious violations of international humanitarian law and the laws of Sierra Leone, thus bolstering the fight against impunity and promoting reconciliation and the achievement of lasting peace, not only in Sierra Leone but throughout the subregion.

The beginning of the Charles Taylor trial marks an important milestone in the work of the Court. The fact that this former head of State who allegedly committed serious atrocities has now been brought to justice shows us that no one is above the law and that the commission of serious crimes cannot remain unpunished. In today's world impunity is not tolerated. Furthermore, the fact that the trial is taking place in The Hague with the logistical cooperation of the International Criminal Court shows how that young institution is engaged in the fight against impunity and confirms the wisdom of the international community's decision to conceive and establish a permanent judicial institution.

As the Court has unambiguously indicated with its active and innovative outreach plan to publicize its activities and proceedings so that the trials will have the proper impact in Sierra Leone and throughout the subregion, it is crucial that the trials be accessible. The local population must clearly see that justice is being served. That is particularly relevant in the Taylor case, as was stressed by the Security Council in resolution 1688 (2006). We praise the Special Court's work in that area, and we encourage it to continue it.

The President and the Prosecutor have shared with us information on the Court's completion strategy, under which all judicial activities are expected to end by the end of 2009. In the context of the formulation and implementation of the completion strategy, residual aspects and the legacy of the Court are especially important. In particular, we wish to highlight those aspects relating to the creation of conditions and capacities within the local justice system to try those responsible for crimes that fall outside the Court's mandate. Indeed, in order to comply with the completion strategy and, above all, in order to fulfil its mandate vis-à-vis the people of Sierra Leone, the Court requires resources and cooperation.

We thank those who have contributed financially to the Court's activities, and we call for the support of States able to provide it. The Court requires the cooperation of States on a number of matters, as the Council has heard this afternoon.

I will conclude by encouraging the Special Court for Sierra Leone to continue implementing its mandate and bringing justice to the people of Sierra Leone, which is indispensable in order to lay the foundation for lasting peace and a prosperous future, not only in the country but also in the subregion.

**Ms. Chen Peijie** (China) (*spoke in Chinese*): I too wish to thank the President, Justice King, and Prosecutor Rapp of the Special Court for Sierra Leone for their briefings. At the same time, I wish to thank Deputy Secretary-General Migiro for her presence at our meeting today.

I wish to note that after hearing the briefings, we see that since the Special Court started briefing the

Council two years ago, it has made real progress in its work, and that is commendable.

Here, I wish to make the following points. First, China has always supported the work of the Special Court for Sierra Leone and will continue to do so in the future.

Secondly, the Special Court has made progress in its trials, as we have heard. Some trials have been completed and some are still under way, including the trial of Charles Taylor, which is being carried out by the Special Court in The Hague, using the facilities of the International Criminal Court. We believe that independent and fair trials help to promote national reconciliation, peace and stability in the region concerned. Therefore, we look forward to the smooth progress and early completion of the relevant trials.

Thirdly, we are pleased to learn that the Special Court has also made steady progress in its completion strategy. It has amended its rules of procedure and evidence in order to enhance the efficiency of trials, and it has set very specific goals for its work. We have also noted that the Special Court has begun to address outstanding issues, including capacity-building in local judicial institutions. All of that is to be commended. We hope that the Special Court will continue to work actively to achieve its various working goals as it continues to implement its completion strategy.

Fourthly, we heard from the President and the Prosecutor of the Special Court that the Court continues to face a number of difficulties. In particular, they referred to the issue of cooperation. I believe that that is a very important issue indeed. Therefore, I should like to call on those countries in a position to do so to continue to provide support to the Special Court and to take a more cooperative approach so as to help it resolve issues such as the enforcement of potential sentences and the relocation of witnesses.

**Mr. Al-Nasser** (Qatar) (*spoke in Arabic*): Thank you, Mr. President, for convening this debate on the Special Court for Sierra Leone. It gives us an opportunity to be briefed on the latest developments relating to the Special Court and on the difficulties facing its President, Justice George Gelaga King. I welcome Justice King to the Security Council and thank him for his briefing and for submitting the Court's completion strategy and budget. I also wish to thank Mr. Stephen Rapp, Prosecutor of the Special Court, for his comprehensive briefing.

Earlier this week, we saw the beginning of the most important stage in the work of the Special Court for Sierra Leone: initial proceedings in the trial of former Liberian President Charles Taylor at The Hague. That proves that no one, regardless of his or her position, is above the law and that everyone, regardless of the crimes that he or she has committed, has the right to due process, as stated by Prosecutor Rapp last January.

The reaching of this stage responds to the aspirations of the people of Sierra Leone to achieve justice, now that they have put their conflict behind them and set out on the path towards building peace and prosperity with determination and resolve, and with the assistance of the international community. However, the effects of the past cannot be erased without putting an end to the phenomenon of impunity and implementing the rule of law in accordance with national and international law and the purposes and principles of the Charter of the United Nations.

Since the last briefing to the Council, by Justice Ayoola, former President of the Special Court for Sierra Leone, in May 2005 (see S/PV.5185), the Special Court has made concrete progress in carrying out its mandate under Security Council resolution 1315 (2000) and the 2002 Agreement between the United Nations and the Government of Sierra Leone. It has concluded the trial of members of the Civil Defence Forces and the Armed Forces Revolutionary Council, and the trial of members of the Revolutionary United Front will be concluded soon.

As we just heard, and as stated in the documents submitted by the President of the Special Court to the Secretary-General concerning plans and expectations for the future completion of the Court's mandate, the Court will continue to carry out its work, including appeals, until late in 2009. While we recognize that the Court needs to finish its current work within the specified time frame and as soon as possible — particularly since some trials have exceeded the timelines set for their conclusion — we also stress the need to strike a balance between compliance with the time frames and the full, efficient and satisfactory fulfilment of the Court's mandate, as well as the need to guarantee the right of the accused to due process in fair trials.

Because the Special Court for Sierra Leone is an international criminal court that has been funded since

its inception through voluntary contributions, and given that the financing available to the Court will be sufficient only until the end of this year, we call on all parties to provide the financial contributions necessary for the Court to continue its work. We commend those who have already provided financial contributions to the Court.

We welcome the Special Court's commitment to accepted legal norms and principles and to transparency and effectiveness in its work, as well as determination to bequeath to the people of Sierra Leone, in addition to the material resources of the country's legal system, a legacy to future generations in the country and elsewhere that embodies the resolve to achieve justice and to eradicate impunity for those who commit war crimes or crimes against humanity.

Finally, while we regret that the trial of former Liberian President Charles Taylor is not taking place on the African continent — owing to the fact that the International Criminal Tribunal for Rwanda is busy developing its own completion strategy and because of the lack of space on its premises and the lack of other options on the African continent — we also stress that it is essential that the peoples of the subregion be able to follow the proceedings of the trial, including through closed-circuit television. We look forward to the continuance of the judicial proceedings at The Hague, since they will help to reveal the truth and to establish security and stability in Sierra Leone and the surrounding region.

**Mr. Bartho** (Slovakia): I would like to express my delegation's appreciation to Justice George Gelaga King, President of the Special Court for Sierra Leone, and to the Prosecutor, Stephen Rapp, for their briefings to the Security Council.

My delegation aligns itself with the statement that will be delivered by the representative of Germany on behalf of the European Union. We do not wish to repeat the same points, so I would like to highlight only a few issues.

We welcome the commencement of the trial of Charles Taylor. Although Taylor's trial is taking place at the International Criminal Court, in The Hague, it is and will remain a trial conducted by the Special Court for Sierra Leone. It is necessary to emphasize this and to keep explaining it constantly to the public, in particular in Sierra Leone and Liberia.

In this context, Slovakia welcomes and supports measures aimed at ensuring that proceedings are accessible to West Africans, including facilitating the attendance of journalists and civil society representatives from Liberia and Sierra Leone, preparing video and audio summaries of Taylor's trial for dissemination throughout Sierra Leone, and making broadcasts of Taylor's trial available at the Court's premises in Freetown.

The second issue I want to mention is the outreach programme of the Sierra Leone Court. The innovative work of the Court's Outreach Section, which continues to bring the Court's activities and accomplishments to every town and village in Sierra Leone, to schools and colleges in the country and to the people of the subregion, deserves high acknowledgement and can set a good example for the work of other tribunals.

Finally, I would like to underline our full support for the Court and also for the successful completion of its work.

**Ms. Qwabe** (South Africa): My delegation wishes to thank The Honourable Justice George Gelaga King and the Prosecutor for the Special Court, Mr. Stephen Rapp, for their briefings to the Council. We also thank the Deputy Secretary-General for her comments.

My delegation is pleased with the progress made since the adoption of Security Council resolution 1315 (2000) and the subsequent agreement signed between the United Nations and the Government of Sierra Leone establishing the Special Court for Sierra Leone.

The operational and logistical challenges that faced the Court have since largely been addressed, and the Court is effectively and judiciously executing its mandate. Significant progress has been made in the three trials before the Special Court, and we look forward to the conclusion of the Revolutionary United Front trial later this year. This bodes well for the implementation of the completion strategy in 2009, as set out by the Special Court.

South Africa believes that the prosecution of those responsible for the violation of international humanitarian law, as well as the law of Sierra Leone, will serve to discourage others from committing human rights violations in the future.

A hallmark of the Special Court has been its contribution to precedent-setting in international humanitarian law, as well as the aspect of national ownership of the Court. In that regard, my delegation is particularly encouraged by the large number of Sierra Leoneans employed by the Special Court, by its work in the area of public information and dissemination of information, and by the legacy project to ensure that the role of the Court in upholding the supremacy of the rule of law resonates in Sierra Leone long after the completion of its work. Those initiatives are noteworthy and innovative, and we congratulate the Special Court on those remarkable achievements.

Whereas significant progress has been made in fulfilling the mandate of the Special Court, the continued assistance of the international community remains critical. The projected budget for the next three years totals $90 million, and international donors are urged to continue their support for the work of the Special Court. In addition to the subject of funding, my delegation wishes to call on all States to cooperate, support and rally behind the appeal by Justice King for concluding agreements for the enforcement of sentences, the relocation of witnesses and the identification of assets of convicted offenders.

In conclusion, South Africa believes that the holding of free and fair elections on 11 August 2007 will contribute to a peaceful and stable Sierra Leone and that the Special Court's functions are also integral in the creation of a stable political and security environment. South Africa will continue to support the Government of Sierra Leone, both bilaterally and through the Peacebuilding Commission, in strengthening its institutions during the post-conflict reconstruction phase.

**Mr. Suescum** (Panama) (*spoke in Spanish*): I would like to express my gratitude for the detailed briefings and information given by the President of the Special Court and the Prosecutor, and also the information given by the Deputy Secretary-General.

Panama would like to take advantage of this opportunity to acknowledge the essential work done by the Special Court and its vital contribution to the establishment of the rule of law in Sierra Leone and in the subregion.

We cannot overlook the contribution that the Court has made to jurisprudence on questions such as the legal effects of the amnesty called for in the Lomé Peace Agreement, or the irrelevance of the status of head of State or the jurisdiction of special courts in accordance with international law.

Moreover, as mentioned by the Prosecutor, the Court has been the first to deal with various types of crimes under international law, as well as crimes against humanity and war crimes. The overall success and effectiveness of the Special Court in its mission to tackle impunity through the trials of those who are primarily responsible is an important example to be followed in Africa as well as in other regions.

In the period remaining before the Special Court until December 2009, it will be important for it to be able to guarantee that its work is in accordance with the highest standards of international law. Therefore, it is crucial for the international community to provide the necessary resources to the Court.

Furthermore, a trial is very similar to an election, where after the outcome there is still much work left to be done. The Prosecutor mentioned steps that have been undertaken to protect and relocate witnesses. It would be interesting to know a little more about the projections being considered for after 2009 in cases such as the post-appeal process, adequate treatment of prisoners and victims, the conservation of documents, guaranteeing that these documents would be accessible, and so forth.

**Mr. Kuzmin** (Russian Federation) (spoke *in Russian*): Like other Council members, we would like to thank the chief officials of the Special Court for their briefing today. We feel that this body is one of the important components in the fight against impunity. Beyond any doubt, its activities give effective assistance to establishing peaceful processes in the region.

The Russian delegation notes that the judicial processes within the Special Court for Sierra Leone are working quite successfully, and we note a positive dynamic in the work of the Court. In our view, we need to maintain the momentum built up by the Special Court over the next few years.

Of course, a milestone in the work of the Court was the capture of the former President of Liberia, Charles Taylor, the chief accused by this legal body. The Security Council adopted a resolution on the transfer of consideration of the Taylor case to The Hague a year ago. It must be recognized that quite a

long time passed between the Security Council's decision and the actual start of the hearings on this case on 4 June 2007. Moreover, as we have learned, the hearings that started last Monday were interrupted and their resumption is planned only for 25 June. We would be grateful to the representatives of the Court if they could tell us what the reason was for the delay in the consideration of the case and how realistic the predicted timeline is for its conclusion by the end of 2008 and for sentencing by mid-2009.

We of course attach great importance to this question, because this case being considered by the Special Court for Sierra Leone is a serious precedent, not only from the point of view of international law, but also because it could have a positive impact on the peaceful processes in the region and on the African continent.

**Mr. Mantovani** (Italy): I wish to thank President King and Prosecutor Rapp for their presentations and congratulate them on the Court's achievements in bringing to justice the alleged perpetrators of the most heinous international crimes and contributing to the development of international criminal law. I also wish to welcome the participation in our proceedings today of the Deputy Secretary-General, Mrs. Migiro.

Italy associates itself with the statement that will be delivered by the presidency of the European Union later on.

We strongly support the work of the Special Court for Sierra Leone and praise its contribution to the restoration of peace and stability in that country. The Special Court has been crucial in reaffirming the rule of law as one of the pillars of civil society, as has also been discussed in the Peacebuilding Commission. The conclusion of the first cases, with the imminent delivery of judgements, is only the first tangible outcome of the huge effort that began with the establishment of the Court in 2002.

With the recent start of the trial against Charles Taylor, the Court initiated a new phase of its work that will mark a milestone in the field of international criminal justice. We strongly recommend, however, that media attention to the Taylor trial not distract the Court from continuing its activities in Freetown with a view to accomplishing its completion strategy.

Several statements this afternoon have recalled the Special Court's contributions to the development of international criminal law. We would like to mention the investigations into the use of child soldiers and forced marriages, which will surely result in precedent-setting decisions in the area of international crimes against the weakest part of the civilian population and which have tragic and long-standing repercussions in civil societies.

I would like to refer briefly to the Special Court's affirmation of the crucial role of justice in the peace and reconciliation process. Peace and justice must go hand in hand in societies that have been disrupted by civil wars. The Special Court proves that, with the support of the international community and the Security Council, with its primary responsibility for the maintenance of international peace and security, a judicial institution can be set up in the very place where horrendous crimes have been committed.

The establishment of the Special Court in Sierra Leone is per se a fundamental outreach. But that is not enough. Italy is proud of its contribution, especially through the European Union, to the several outreach activities of the Special Court, and we hope that these activities will continue. At the same time, we believe that an effort must be made to ensure that the people of Sierra Leone will continue to perceive the Special Court as a friendly institution whose premises will go on serving the country even after the Court has concluded its work.

As regards the functioning of the Special Court, Italy welcomes the recent decisions aimed at making the Court more efficient and at overcoming some management difficulties. The adoption a few days ago of the budget for the 2007-2009 period is a step in the right direction, towards forecasting the financial needs of the Court in the next two years, thereby paving the way for a smooth completion strategy.

**Mr. Christian** (Ghana): Allow me to thank the President of the Special Court for Sierra Leone, Mr. Justice King, and the Prosecutor, Mr. Rapp, for their presentations. I also thank the Deputy Secretary-General for her statement.

It is gratifying to note that the Special Court — which has been in operation since July 2002, with the mandate of prosecuting persons who have the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law — has been making steady progress towards its completion strategy. Indeed, we recognize the invaluable role

being played by the Special Court in the prosecution of the serious crimes committed in the civil wars since 1996. It is through justice and closure for the victims of war crimes and other atrocities that the basis for peace, reconciliation and stability can be laid in Sierra Leone and provide the standard for the administration of transitional justice in the West African subregion.

The Court's completion strategy is therefore of great importance. Without the conclusion of the most serious cases, the mandate of the Court will not be fully discharged. There should be no impunity for the crimes and atrocities committed during the civil war. On this point, we view the commencement of proceedings against Charles Taylor in The Hague as a significant development in the fight against impunity, and we hope that the other perpetrators of heinous crimes in the civil war will also be brought to justice.

From the report of the President, it is reasonable to assume that the completion strategy of the Court is on track with two milestones achieved — the completion of the hearings in the Civil Defense Forces and Armed Forces Revolutionary Council cases. We also wish to welcome the progress made by the Court in amending the Rules of Procedure and Evidence, since without efficiency in the proceedings, the attainment of stated objectives and milestones may be compromised.

The Court's outreach programme is to be commended. In the fight against impunity and in the quest for justice for the most serious crimes, it is important that the Court's proceedings in particular, and justice in general, should not be seen as a remote and distant process with no relevance to the lives of citizens. Justice must be brought to the people. By creating a sense of participation for the victims and the population at large, we bring in an element of ownership and understanding of the process. That will leave a lasting impact on the population.

Finally, we call on the international community to give the Court the fullest support to discharge its mandate by making available adequate resources for its budget.

**Mr. Kleib** (Indonesia): First of all, let me join others in thanking the President of the Court, the Prosecutor of the Court and the Deputy Secretary-General for their briefings.

Indonesia welcomes the Special Court's steady progress towards the fulfilment of its mandate and the implementation of its completion strategy.

Indonesia consistently condemns gross violations of human rights and international humanitarian law. The perpetrators of war crimes and crimes against humanity, as well as other serious crimes, must be brought to justice.

In this regard, we welcome the start of the trials of individuals, including the trial of Charles Taylor by the Special Court for Sierra Leone in The Hague. This trial could greatly contribute to the strengthening of the rule of law and also create confidence in the people of West Africa and beyond that there is no impunity for crime, no matter how powerful the perpetrators may be. We hope that the trial will be conducted fairly in accordance with international standards and with respect to the presumption of innocence unless proven otherwise.

Despite the current efforts by the Government of Sierra Leone, there is much more to be done in healing the wounds of the people and in consolidating peace. It is hard to console the people of Sierra Leone who were battered by the actions of Charles Taylor for six horrendous years. We expect and are hopeful, therefore, that his trial will contribute to advancing national reconciliation and to furthering the sense of accountability among the public.

At the same time, we believe that it is important for the Security Council to focus on the big picture of the country. While we fully support the Special Court for Sierra Leone, my delegation considers it to be one of the several critical means to achieve a sustainable peace in Sierra Leone, which will reduce the chances of relapsing into conflict.

With most institutions ravaged by the 10-year civil war, it is understandable that the Government is still facing difficulties with its present scarce resources and inadequate infrastructure. The international community therefore needs to step up its support to the Government of Sierra Leone not only in assisting it in the conduct of upcoming elections, but in helping it to expand its capacities across the various sectors for the long-term recovery.

To conclude, Indonesia is hopeful that the process of the Special Court for Sierra Leone will run smoothly

within the time frame of the mandate, leading to the strengthening of peace and harmony in Sierra Leone.

**The President** (*spoke in French*): I shall now make a statement in my capacity as representative of Belgium.

At the outset, I should like to thank President King and Prosecutor Rapp of the Special Court for their clear statements.

Belgium welcomes the launch this week of Charles Taylor's trial before the Special Court for Sierra Leone. The holding of the trial is proof that there is no longer any question of impunity for persons accused of the most serious crimes, whatever their rank.

My delegation has stressed on several occasions that peace and impunity are never compatible. That was the spirit underlying the creation of the Court. According to a recent study, 90 per cent of the population of Sierra Leone considers that the Court has helped to establish peace. There could be no better illustration of how clearly the people directly concerned recognize the Court's contribution.

One of the Special Court's important innovations is that it may issue the first sentence for the recruitment of child soldiers. Indeed, by its decision of 31 May 2004, the Appeals Chamber deemed that the rule prohibiting the recruitment of children under the age of 15 was part of customary international humanitarian law. That will certainly send an unmistakable signal to armed groups throughout the world that seek the unacceptable involvement of children in armed conflict. We cannot forget that the conflict in Sierra Leone featured extreme brutality of which children and women were the chief victims.

The victims' perception that they have received justice is crucial. In that regard, we stress the outstanding work done by the Court in terms of outreach since its creation, and particularly the communication efforts developed in the context of the Taylor trial.

My delegation welcomes the fact that judgments in the case of the Armed Forces Revolutionary Council are expected on 20 June and, in the case of the Civil Defence Forces, in July. That represents an important step forward in the Court's work, which we welcome.

My delegation notes with satisfaction the fact that the Court is expected to conclude its work by the end of 2009. We welcome the two documents recently finalized — the completion strategy of the Court's work and the completion budget for the next three years. Insofar as Belgium's principled support is also expressed in the form of regular contributions to the Court's budget, those documents provide an essential basis for the voluntary contributions that are vital to its work.

December 2009 is no longer so far away, and we must reflect beforehand on the Court's residual functions that will remain to be discharged after it closes. Those include issues of witness protection, the enforcement of sentences, archives and so on. It would be useful in that exercise to seek possible synergies with other jurisdictions that are equally involved in this debate, in particular the International Criminal Tribunals for Rwanda and the Former Yugoslavia.

I now resume my functions as President of the Council.

I call on the representative of Sierra Leone.

**Mr. Kanu** (Sierra Leone): We thank you, Sir, for convening this important meeting on the Special Court for Sierra Leone. We also welcome the presence here of the President of the Court, George Gelaga King; the Prosecutor, Mr. Stephen Rapp; and the Acting Registrar of the Court, Mr. Herman von Hebel. We also welcome the participation of the Deputy Secretary-General in this debate.

It has now been five years since the Special Court for Sierra Leone was established and seven years since the President of the Republic of Sierra Leone, Alhaji Ahmad Tejan Kabbah, requested the assistance of the United Nations and the international community to help our country answer the cries for justice from our people.

We remain grateful for the quick response to His Excellency's request and we are proud to have seen the Special Court develop into a fully fledged international court, with many of its practices recognized as an example of how international criminal justice could and should be administered and of how to engage the population and maximize the impact of its work on those who suffered so dreadfully during those terrible years of conflict.

My Government has never wavered in its support for the Special Court, as we believed and continue to believe that justice is necessary for Sierra Leone to address and overcome its past and again become one of the brightest jewels of West Africa. That support has been grounded on the equally strong belief that, in order to do its work, the Special Court must both be and be perceived as being independent, impartial and fair. I will not address the last two matters because they are for history and legal historians to judge, but I will say that, from our perspective, the independence of the Court has been a critical factor in its ability to do its work and to reach the people of Sierra Leone.

That has not come about by chance. From the very beginning, the people of Sierra Leone were at the forefront of those who called for the establishment of the Special Court. That is why the Special Court is based in Freetown, and that is why the Court was called upon to implement a robust outreach programme which has grown from strength to strength under the leadership of the Court's outreach coordinator. That is why, in answer to the calls from ordinary Sierra Leoneans, the Court has been looking at its legacy and at what added benefit it can bring beyond its judicial work.

The mere presence of the Special Court, with its mandate to identify those who bear the greatest responsibility for the crimes committed in Sierra Leone and to apply the rules to them equally, no matter who they are, has been a catalyst for the establishment of the rule of law in my country. But the Special Court has gone one step further, establishing a working group on legacy to strengthen its impact on the rule of law and to play an active role in promoting initiatives to reach the same goal. At the end of 2006, for example, as part of its legacy work, the Special Court was instrumental in the holding of a national consultative conference organized by the international non-governmental organization No Peace Without Justice and the Sierra Leone non-governmental organization Manifesto 99, with the active support and participation of the Government of Sierra Leone, on implementing legislation for the Rome Statute of the International Criminal Court. As a result of that Conference, draft legislation has now been prepared and we anticipate that it will become part of the laws of Sierra Leone early next year. That is a real and tangible example of the legacy of the Special Court for Sierra Leone, which will serve the people and indeed the world for decades to come.

The Special Court began its work in mid-2002, just a few months after the last presidential and parliamentary elections in my country. We had just secured peace at that time and there were some who voiced concerns that the situation was not stable enough to support the work of the Court; others were concerned that the Special Court would undermine the peace process we had worked so hard to secure.

Neither fear came to pass. Now, in just a couple of months, we will again have general elections in my country, in an atmosphere of stable peace. As His Excellency President Ahmad Tejan Kabbah said earlier this year during his address to the nation on the occasion of the forty-sixth anniversary of the independence of our beloved country, Sierra Leone has come a long way and should be proud, and it has remained united in the face of adversity. We have remained united as a democracy, and the basic democratic principles by which we live our lives have been, to a very large extent, enhanced by the presence of the Special Court, as an independent institution seeking to administer the rule of law.

For all our strength and for all our determination that Sierra Leone should never fall back into those days of despair, we have not achieved our goal of sustainable peace on our own. I would be remiss were I not to highlight the critical role that the Special Court has played in helping us to maintain and strengthen peace in our country. Even before it came into existence, the very idea of the Special Court was an important factor in the cessation of hostilities. Indeed, the weapons-burning ceremony marking the end of the war took place only a few days after the signing of the Agreement on the establishment of the Special Court by the then Attorney General and Minister of Justice of Sierra Leone, who is now the Vice-President, Mr. Solomon Ekuma Berewa, and Mr. Hans Corell, who at the time was the Under-Secretary-General for Legal Affairs. Never before has the link between peace and justice been so clear. Let it stand as a reminder and as an admonition to those who would seek to drive a wedge between the two.

The life of the Special Court has been characterized by milestones and challenges. Its latest milestone, just a few days ago, was the commencement of the trial of a former head of State — the first African

head of State to be brought to trial for serious violations of international humanitarian law — whose antics threatened not only his own country but also its neighbours, including Sierra Leone. But that milestone brings with it its own challenges, as the trial is taking place not in Freetown but in The Hague. It brings challenges of ensuring that the people of Sierra Leone have the access they have come to expect to trials being conducted on their behalf. It brings challenges of ensuring its ongoing independence and its perception of being independent, given that the trial is taking place on the premises of the International Criminal Court. It brings challenges of logistics and challenges of the law. We are confident that the Special Court will rise to those challenges, as it has risen to other challenges in the past. But the one challenge it has always faced, and one which it continues to face, is a challenge that the Special Court cannot overcome alone. The administration of justice does not have to be expensive; we hear too much about money. One of the distinguishing features of the Special Court has been its ability to do its work on a limited budget, a budget that has consistently been far lower than those of other international courts and tribunals. But we must all bear in mind also that the administration of justice is not free.

When my President called for justice, and when that call was answered by the international community, it raised the expectations of the people of my country. They expected, and continue to expect, fair justice, impartial justice and independent justice. They expect cases to be concluded, judgements to be issued and appeals to be heard and decided upon, so that we will finally have acknowledgement of the responsibility of those who planned and unleashed horrific crimes upon the people of Sierra Leone.

The promises made just seven years ago must be honoured. We call upon all present here, and upon the international community as a whole, to honour those promises. We — the Government, the people and the Special Court itself — have all played, and continue to play, our part to bring an end to impunity in Sierra Leone. The Council has also played its part.

The journey has been long, but it is not over yet. The international community, and in particular the States that make up the international community, must give the Special Court the financial stability it needs to see the trials through to the very end of the appeals process, to support the legacy work of the Court and to ensure its ability to engage the people of Sierra Leone, particularly now that an important part of its work is taking place so far away from home.

In conclusion, we are convinced that no one State or group of States can mobilize resources all by themselves. As part of the cooperative efforts, my delegation has taken the initiative to solicit financial support from African States and States members of the Organization of the Islamic Conference.

That is the message from Sierra Leone.

**The President** (*spoke in French*): I now give the floor to the representative of Canada.

**Mr. Normandin** (Canada): Canada is honoured to chair the Management Committee of the Special Court and pleased to have an opportunity to speak to the Security Council about the Court's work. It is a particular honour to do so during Belgium's presidency, as that country is well known for its commitment to international criminal justice.

Two years after the previous President of the Special Court appeared in this Chamber, it is fair to ask ourselves whether the Court is succeeding in fulfilling the mandate it has been given. First, as members of the Council have heard from the Court's President, Justice King, and its Prosecutor, Mr. Rapp, all the trials in Freetown will soon be coming to an end, with judgements in two of those trials to be handed down in the coming weeks. If there are appeals in the Freetown trials, they are expected to be completed by the end of next year. The Court's operations in Freetown and in The Hague should be winding up by late 2009.

Secondly, it may be instructive to hear what the people of Sierra Leone themselves have to say. In a recent survey of 10,000 Sierra Leoneans from across the country, 91 per cent said that they either agreed or strongly agreed that the Special Court had contributed to building peace in Sierra Leone, and 88 per cent agreed or strongly agreed that setting up the Court was the most appropriate option for addressing the crimes that were committed during the war. That is a significant vote of confidence in the Court — a Court that has been funded on voluntary contributions, that was literally built from the ground up only a few years ago, and that is operating in a country devastated by civil war.

Despite those enormous accomplishments, however, significant challenges remain. Financing has

been, and continues to be, the most critical issue facing the Court. Throughout its history, the Court has struggled because it has often been unsure from one month to the next whether there would be money in the bank. The resulting financial uncertainty has profoundly affected every aspect of the Court's operations. The Management Committee has taken steps to address this issue. Last month, a three-year completion budget was adopted that will take the Court to the end of its work, in late 2009. That gives the Court a clear financial plan that should allow it to effectively implement its completion strategy. But that will happen only if donors step forward with further contributions. More than 40 countries from around the world have contributed to the Court over the past years. We thank them, but we also urge those countries that can contribute more to do so.

The Court's challenges are not only financial. Let me briefly address three others: enforcement of sentences, witness protection and residual issues. So far, only three States have agreed to enforce the sentences of individuals who may be convicted and sentenced to a term of imprisonment. Only a few States have offered to assist certain vulnerable witnesses who must be resettled in third countries for their protection. Both of those needs are critical. States can make a significant non-cash contribution to the work of the Court by agreeing to enforce sentences or by accepting witnesses for resettlement.

In addition, winding up the Court's work will also raise a number of challenging issues. For example, archives must be made accessible to the public, but sensitive information, such as the names of protected witnesses, will need to be kept confidential. Sentences of imprisonment may need to be reviewed several years down the road, and protected witnesses may continue to need protection.

(*spoke in French*)

The Special Court will be the first tribunal of its kind to face these and other difficult issues associated with the completion of its work. So far, indeed, the Special Court has often been a pioneer. It was the first international criminal tribunal to be financed through voluntary contributions. It was the first tribunal in modern history to hold its deliberations in the very country where the crimes were alleged to have been committed. It was the first to establish an Office of the Principal Defender, and it will be the first to embark on the complicated exercise of running trials simultaneously on two continents, thousands of kilometres apart.

Many of us take pride in the Court's "firsts" and in its other accomplishments. But let me not leave the impression that it has been easy. Indeed, the Court is in dire need of financial resources. Furthermore, the personal and professional commitment demanded of, and given by, every single person working at the Court is enormous. And the stakes — for Sierra Leone, for the region and for international criminal justice — are high.

The Special Court is doing its part to contribute to the restoration of the rule of law and to the end of impunity in Sierra Leone. It is up to us to continue to do our part.

**The President** (*spoke in French*): I give the floor to the representative of the Netherlands.

**Mr. Hamburger** (Netherlands): The Netherlands welcomes the briefings given today by the President and the Prosecutor of the Special Court for Sierra Leone on its ongoing work, and we appreciate this opportunity to address the Council. We align ourselves fully with the statement to be delivered shortly by the representative of Germany on behalf of the European Union.

Today's debate on the Special Court is taking place at an important moment in the Special Court's history. This week saw the start of the trial of Charles Taylor, and judgements are expected in the Armed Forces Revolutionary Council and Civil Defence Forces cases, later this month and in July, respectively.

The work of the Special Court has made a significant contribution to our common fight against impunity. The trial of Charles Taylor makes it clear that even heads of State do not and will not enjoy impunity and that they will be brought to account if they commit war crimes, crimes against humanity or genocide.

In our view, the work of the Court will — parallel with the work in the justice sector of, among others, the Peacebuilding Commission — contribute to long-term peace, security and development in Sierra Leone.

The Netherlands has been a committed supporter of the Special Court since its inception. It is a dedicated member of the Management Committee and one of its major donors, and intends to continue to

provide such support until the completion strategy has been realized.

The Netherlands has accepted the responsibility of being the host State for the trial of Charles Taylor. In addition to financial support, we have provided the Special Court with gratis personnel and security. For the trial of Charles Taylor, use is being made of International Criminal Court facilities. We note with satisfaction that the cooperation between the Special Court, the International Criminal Court and the host State is working very well.

As has already been said, the Court is well known for its excellent outreach programme. We commend the Court for its efforts to make the proceedings against Charles Taylor accessible for the people of Sierra Leone and West Africa more widely, and we will assist the Court in those endeavours wherever possible.

The Special Court for Sierra Leone has made substantial progress over the past year. It is essential that the completion strategy be adhered to. We therefore call on the Court to do everything in its power to ensure that that is the case.

Clearly, without adequate financial resources the Court cannot complete its important work. It is essential that the international community ensure that it can do just that. Like others, the Netherlands calls upon all countries present to ensure that there is sufficient funding for the Special Court.

Finally, it is indeed important to emphasize that the work of the Special Court will not end completely in 2009. Important residual functions will continue to exist well beyond that date. Also, the legacy of the institution needs to be assured for the public in general and the people of Sierra Leone, in particular.

**The President** (*spoke in French*): I give the floor to the representative of Nigeria.

**Mr. Wali** (Nigeria): I should like, on behalf of the Nigerian delegation, to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. I should also like to express our appreciation to the delegation of the United States of America for the very effective way in which it conducted the affairs of the Council last month.

The timing of this debate could not have been more apt, given the recent commencement of the trial of Mr. Charles Taylor and the dire need to strengthen the capacity of the Special Court for Sierra Leone and to provide it with the resources that it needs to deal with the situation.

Nigeria continues to believe in the rule of law and in the provisions of the Universal Declaration of Human Rights. That is why we believe that the establishment of the Special Court for Sierra Leone will bring justice to the victims of human rights abuses. We are satisfied that the Court has sent a clear message that no one is above the law. Furthermore, it indicates the collective rejection of impunity by the international community.

Nigeria appreciates the important decisions so far reached by the Special Court. The Court has demonstrated that it is an important part of the peace process in Sierra Leone, that the political immunity of a head of State should not shield him or her from prosecution for human rights violations and crimes against humanity and that it is averse to the crime of the recruitment of child soldiers. The Court further declared forced marriage to be a crime against humanity and a violation of customary law, inter alia. We are happy to note that a judgement on heinous crimes committed in Sierra Leone will be delivered shortly.

Nigeria welcomes the efforts of States Members of the United Nations that are supporting the work of the Special Court through voluntary contributions. Equally, we encourage those that have not yet done so to get involved. The fact is that voluntary contributions have proved to be inadequate to meet the needs of the Court. Nigeria therefore calls on the international community to urgently explore other measures to enhance the funding of the Special Court. That would ensure reliable resource flows to deal with Court processes and other attendant requirements, such as victims' participation in Court proceedings, and would stem likely delays and suspensions of the activities of the Court.

That would further strengthen the position of the Court in effectively handling other issues that are bound to arise from the final judgements, such as monitoring detainees, the relocation and protection of prime witnesses and the enforcement of sentences.

We are of the view that the fight against impunity and against the tyranny perpetrated in Sierra Leone needs to be carried to its logical conclusion through the instrumentality of the Special Court. In order to

achieve that and to ensure that justice is not delayed, the international community must respond effectively to the all-encompassing funding requirements of the Court.

**The President** (*spoke in French*): I give the floor to the representative of Germany.

**Mr. Matussek** (Germany): I have the honour today to take the floor on behalf of the European Union (EU). The candidate countries Turkey and the former Yugoslav Republic of Macedonia, the countries of the Stabilization and Association Process and potential candidates Albania, Montenegro and Serbia, and the European Free Trade Association countries Iceland and Norway, members of the European Economic Area, as well as Ukraine and the Republic of Moldova, align themselves with this statement.

At the outset, I would like to thank President King and the Prosecutor, Mr. Rapp, for their presentations of the work of the Special Court — of its achievements and of the challenges that still lie ahead.

The European Union is strongly supportive of the work of the Special Court for Sierra Leone, which is making an invaluable contribution to the restoration of peace and stability in Sierra Leone. Through the Court's work those most responsible for serious crimes during Sierra Leone's brutal civil war are being held accountable for their deeds. In this respect, the EU has noted with satisfaction that the most prominent case on the agenda of the Court — the trial of former Liberian President Charles Taylor — has commenced this very week in The Hague. Other cases are well under way in Freetown, and on the whole it seems that the goals of the completion strategy can be met.

The Court has also contributed significantly to the development of international criminal law. It has, for example, instituted landmark proceedings to investigate the use of child soldiers and forced marriage. It has also taken important decisions on criminal procedure. In addition, the Court has developed a whole body of rules and regulations on how to get the institution as such up and running. All of this deserves very careful study and analysis as we consider the further development of international criminal law. We call on the Court and all concerned to make every effort to preserve and render accessible this wealth of practical and legal experience.

The European Union has also noted with satisfaction that the new budget submitted by the Court covers the entire completion period, from 2007 to 2009. It is a clear indication of the determination of the Court to base its financial and administrative planning on the completion strategy. It sends a political message to the international community that the Court is indeed on track and has taken all necessary measures to achieve its goals within the established time frame. It makes equally clear, however, that for the Court to complete its work, ongoing support from Member States for the remaining years is needed. I should like to recall in this context that since the start of proceedings in 2002 European Union member States alone have provided more than 56 per cent of the Court's entire expenditures. In addition, several of the Court's projects were funded by the European Community. The European Union will not fail to continue its support of the Court's work.

Justice King's presentation, however, also contained a number of important messages that in the view of the European Union went far beyond the facts and figures. Let me point out just a few key features of the work of the Special Court which in our view offer important lessons of interest to the Security Council and the wider United Nations membership when we look at other situations.

Through its unprecedented and innovative outreach programme and its efforts to explain its work to the people concerned in Sierra Leone and beyond, the Court has almost become a household word, of which even schoolchildren have heard. This has greatly bolstered the acceptance of this body and its role in and for Sierra Leone. Current efforts to make the proceedings against Charles Taylor far away in The Hague as transparent as possible for the people of Sierra Leone will certainly add to this. It is essential that the people in the region be accurately informed about, and understand, the serious charges brought against him and the way in which the proceedings will be carried forward.

Another important feature in terms of ownership is that the Court has made great efforts to draw as many local staff as possible — including legal professionals in all spheres of criminal justice — into the work of the Court. Today, half of its staff are Sierra Leonean nationals. This again has helped to win the trust and confidence of the people in the region.

Both factors will in our view contribute to the development of the judicial institutions in Sierra Leone. We trust that the work of the Court will help to re-establish the rule of law for society at large well beyond the day on which the last trial is concluded.

Beyond the immediate local context, the Special Court has given a strong boost to what former Secretary-General Kofi Annan called the culture of the rule of law, for which the United Nations as a whole should stand. The work of the Special Court for Sierra Leone signals that in today's world serious crimes against humanity, genocide and war crimes will no longer go unpunished. Not even the highest officials, including heads of State or Government, can count on impunity for their deeds. The international community will react — and, in keeping with the principles of the rule of law, will react through legal means: criminal proceedings that bring perpetrators to justice swiftly and effectively and strictly in accordance with all international standards. This Court proves that that is possible. It is possible because the people want it, and it is necessary because they deserve nothing less. This message will also give a strong boost to the growing international support for the International Criminal Court. It adds proof to our understanding that there is no dichotomy between peace on the one hand and justice on the other. Any society and, in particular, the victims who fall prey to ruthless oppressors have a right to claim both. The experience of the people of Sierra Leone shows that there is no rule that one has to be sacrificed in favour of the other.

"Completion" is a tempting term but, as we all know, in this context it is somewhat misleading. Even if all actual proceedings are completed and the cases tried, this is not the end of the story. The judgements will have to be enforced and those who have been convicted need to serve their sentences — and in that they have rights and in that they have status. The protection of witnesses may be needed for an extended period after a given trial is over. Long after the completion date new facts may become known which may necessitate certain decisions to be taken. And for all these and other purposes the Court's files have to be kept intact and accessible. In our national judicial systems, we can take it for granted that a court to decide on all of this is always there. Here it is not, and that is why the international community has to address what are commonly referred to as residual issues as a matter of urgency, just as in the cases of the International Criminal Tribunal for Rwanda and the International Criminal Tribunal for the Former Yugoslavia. The European Union trusts that work on these issues is now under way.

**The President** (*spoke in French*): I call now on Justice King to respond to comments made.

**Justice King**: At this stage, I want merely to say that we are very grateful to those present here this afternoon who have participated very seriously in this debate. As President of the Special Court, I am very encouraged by the participation and the contributions of the States whose representatives have attended this debate. I think the message is that there will be cooperation and that the Special Court will be able to complete its mandate. It has not been easy; yet I know that, with the cooperation of the international community, the Special Court will succeed in its experiment.

I want finally, Mr. President, to thank you, to thank the Deputy Secretary-General, and to thank all those representatives who have sacrificed their time to be here this afternoon and participate in this debate.

**The President** (*spoke in French*): I thank Justice King for his kind words.

I call now on Mr. Rapp to respond to comments and questions raised.

**Mr. Rapp**: I thank participants for their comments today and for their strong support of the mission of the Special Court for Sierra Leone. It is profoundly appreciated by those of us who are involved in this effort, and we look forward to, in some cases, visiting their capitals and discussing further the work of the Special Court.

There was, I recall, one question, from the representative of the Russian Federation. I think it is appropriate that I make a response. The question drew attention to the absence of Mr. Taylor from the opening of the trial, this Monday, 4 June.

I have been involved in this field for several years, previously at the Rwanda Tribunal. I will say that it is not uncommon for individuals who are accused to absent themselves from the proceedings. In a few cases, individuals have elected to absent themselves from entire trials. The practice of the Special Court for Sierra Leone and that of international tribunals — consistent with the practice in many

countries — is not to force such individuals to attend but to make certain, by seeking to communicate with the accused, that the decision to absent himself or herself from the proceeding is voluntary and that it is understood that, in the absence of the accused, the proceeding will nonetheless continue.

The arrangements for representation by defence counsel provide that defence counsel is assigned to represent individuals for whom the counsel appears. That assignment carries with it a solemn responsibility to continue in the proceeding and to represent the accused to the best of the counsel's ability, even if the counsel is not as fully instructed as the counsel might wish.

I should now like to refer to the events and the particular issues raised by Mr. Taylor and his counsel. They have previously raised issues regarding the need for additional time and resources, to which the Court and the Registry have responded in the past. The Court has twice provided additional time for defence preparation. The opening of the trial was delayed from April to June. Additionally, by a recent decision, well before 4 June, the judges of the Trial Chamber provided an extra three weeks to work with his counsel to prepare for the calling of the first witnesses.

There is, or course, the issue of the adequacy of the representation and investigative assistance available to Mr. Taylor. Those issues have been raised with the Registry on numerous occasions. It is to be noted here that — as I said in my remarks — the accused has claimed indigence, and therefore his legal services are being provided at the expense of the Court. The Registry has entered into a contract with his chief counsel that provides for substantial augmentation of the resources available, exceeding those of other accused before the Court. He has access to a counsel, a co-counsel and several legal assistants to investigators, both domestic and international — all paid for by the Court from its funds. There is an office in The Hague, an office in Freetown and, with the assistance of the United Nations Mission in Liberia, now an office in Monrovia. As the Registrar has commented, the legal services available here exceed, or at least equal, those provided at other tribunals.

I believe that there are now some practical issues that the judges and the Registry are working through, with regard to, perhaps, a new co-counsel coming into the case to replace one who is departing. We believe that those issues can be resolved in good faith and will be resolved.

I think that the whole issue of legal representation is very important as we look at the voluntary contributions and the base of the Court. Clearly, our Court's ability to provide legal assistance to indigent accused cannot be constrained by the absence of resources. It is critically important that the Court have the resources necessary to provide an effective defence for each of the accused individuals. That has been the situation since the time of the establishment of the Court, and it needs to be the situation until its very end. That is why we continue to urge Member States to support the Court and to provide the resources necessary not just for investigation and prosecution, but also for defence representation. At the end of the day, what is most important is not only that a trial be fair, but also that it be seen to be fair by the victims and the whole world community.

I thank the members of the Security Council, as well as the other representatives who have come forward to make their representations and submissions. We look forward to continuing our work at the Special Court for Sierra Leone, following up on the resolutions of the Council to establish justice and bring closure with regard to the grave crimes committed on the territory of Sierra Leone after November 1996.

**The President** (*spoke in French*): I thank Mr. Rapp for his responses to questions and for the clarifications he has provided.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 5.25 p.m.*